

## **Executive Committee Meeting Minutes – Monday, April 18, 2005**

Chairman Manke called the meeting to order at 8:30 a.m. and led the committee in the Pledge of Allegiance.

**Present:** Chair James Dwyer, County Board Supervisors Patricia Haukohl, Walter Kolb, Richard Manke, Duane Paulson, Duane Stamsta. **Absent:** Supervisor William Mitchell was absent due to other county business.

**Staff Present:** Chief of Staff Lee Esler, Legislative Policy Advisor Mark Mader, Legislative Policy Advisor Dave Krahn, Office Services Coordinator Windy Jicha.

**Also Present:** Senator Mary Lazich, Representative Scott Jensen, County Executive Dan Finley, Chief of Staff Allison Bussler, Senior Financial Analyst Andy Thelke, Director of Health and Human Services Peter Schuler, Long Term Care Division Manager Jack Bodien, Budget Manager Keith Swartz, Director of Administration Norm Cummings, Outagamie County Lobbyist Mark Weideman, Business Manager Bob Snow, Corporation Counsel Tom Farley, Milwaukee Journal Sentinel Reporter Scott Williams, Waukesha Freeman Reporter Dennis Shook, UW-Waukesha Dean Brad Stewart.

### **Correspondence**

Dwyer reviewed and distributed the list of correspondence. He said Supervisors should request copies of the listed items from Jicha.

### **Approve Minutes of April 4, 2005**

MOTION: Haukohl moved, Stamsta second, to approve the minutes of April 4, 2005. Motion carried: 6-0.

### **Legislative Update**

Krahn distributed and reviewed two handouts regarding the 2005-2007 state budget impacts on Waukesha County. One handout is a summary of major state budget concerns and the other is a supplemental summary listing impacts by functional area.

Krahn said one state budget concern is the tax freeze – levy restraint program. This is the taxpayer's budget freeze proposal and could affect how much Waukesha County can accept in grant funding.

### **Discuss and Consider the Following Appointments:**

#### **160-A-001: Appointment of David Hickey to the Ethics Board**

MOTION: Paulson moved, Haukohl second, to approve 160-A-001. Motion carried: 6-0.

#### **160-A-002: Appointment of Richard Wutt to the Health & Human Services Board**

MOTION: Stamsta moved, Haukohl second, to approve 160-A-002. Motion carried: 6-0.

### **Committee Reports by Committee Chairs for the Following Meetings:**

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April 5, 2005 – Land Use – Kolb said the committee approved the land acquisition on the Fox River. The committee also considered the resolution to adopt the comprehensive development plan for public participation.

April 6, 2005 – Finance – Haukohl said the committee reviewed and accepted the 2004 Annual Report of the Treasurer's Office. They approved ordinances on the Maney property acquisition, the sale of excess right of way on Janesville Road, the disposal of the building on Northview Road and the changes to the airport capital plan. Lastly, the committee approved the contract procurement process for CTH "SR," Fox River bridge structure design services.

April 14, 2005 – Health and Human Services – Stamsta said this was a joint meeting of the Board and Committee. The committee approved an ordinance to authorize the Department of Health & Human Services to accept state funding to provide services to the homeless with serious mental illness (the “Shirley Program”). The group heard reports on the 2006 needs for the HHS budget, which includes a 5% increase, and economic assistance program statistics and workload data.

April 15, 2005 – Judiciary and Law Enforcement – Jicha reported the committee heard 2004 Waukesha County annual jury report, the Metro Drug Unit and the CJCC.

### **Discussion on the 2005-2007 State Budget**

Jensen said the Joint Finance Committee received the budget and is analyzing it. The governor has included some unrealistic spending and plans to borrow money for ongoing expenses, which is unconstitutional. The governor’s proposal has the state selling off the tobacco money and then borrowing against it for 20 years. The legislators want to borrow and tax less than the governor.

Jensen said there needs to be a change in the Operating After Revocation (OAR) penalties. He put in a bill similar to Waukesha County’s bill. The bills are similar except for the penalties. It is not the best use of resources to fill up jails with people who lack the discipline to pay fines. Krahn said Waukesha County supports decriminalizing the first offense of OAR. Lazich said the judges have done a good job lobbying for that.

Krahn asked Jensen his thoughts on the decriminalization of worthless check writing. Jensen said every governor proposes to decriminalize worthless check writing and every legislature undoes it. He doesn’t think it is likely that this offense will be decriminalized.

### **Discussion Regarding the UW-Waukesha Proposal to the State**

Finley said the driving force behind his UW-Waukesha proposal is keeping the economy of the State of Wisconsin strong. The goal of the UW Board of Regents and UW system is to produce graduates who will drive the state’s economy. A report was released a few months ago saying Wisconsin needed to produce a different type of graduate. We aren’t producing four-year graduates for the technologies of companies in Wisconsin for the next century. One solution is to evolve two-year colleges into four-year degree programs. Two-year associate degrees aren’t enough any more. In Wisconsin, two-year colleges were founded more than 40 years ago in rural areas, to handle students who couldn’t afford, handle and/or leave the farm to attend a four-year degree program.

Finley’s promoting the notion of transferring the title of UW-Waukesha to the State of Wisconsin so the state can grow the campus into a 21<sup>st</sup> century institution. He would like to follow the model set by Milwaukee County 30 years ago when Marquette University got out of the medical college business. At that time, Milwaukee County leadership got together and formed the Medical College in Wauwatosa. The Medical College and surrounding hospitals make up one of the finest regional medical facilities in the nation. If we don’t make this move, the UW-Waukesha campus will not evolve. The school won’t be what the state needs it to be under county government. The County Board sold the old courthouse for one dollar to the museum and now the facility is booming. It wasn’t going to do that under county government. The state knows what to do with higher education policies better than Waukesha County does. The county needs to focus on its core mission. This doesn’t fit into the core mission.

Jensen supports the notion of two-year campuses in certain parts of the state. When this idea came forward, the media focused on savings to counties. Wisconsin needs to be globally competitive and higher education needs to support the economy. He will push this forward as a change to UW-Waukesha only. Each legislator should decide what to do with the colleges in their area. Jensen said in the state budget, the state created a

process to move UW-Waukesha to a four-year campus. The conversion would maintain UW-Waukesha's current mission and goals. Jensen would like to use the same model to convert UW-Waukesha into a four-year campus that was used when the state took over the U.W. Hospital, which involved creating a committee to handle all details and bring proposals to the legislature. He would like officials from UW-Waukesha, WCTC, UW-Milwaukee, county, business and state representatives to serve on a task force to work through all the issues. The U.W. system is willing to work with the legislature on this conversion if it's just UW-Waukesha. Jensen would like the county to complete the pending capital projects and then sell the property to the state for one dollar. UW-Waukesha would become a state run institution with the same programs as other four-year colleges, meet the needs of the county and work with WCTC and UW-Milwaukee to choose course offerings.

Senator Lazich said there are a lot of good things that could happen from restructuring of UW-Waukesha, UW-Milwaukee and WCTC. WCTC does a good job bending to the current job market and making curriculum changes as needed. There is a study being conducted for all two-year colleges to be converted to the state. Finley said the change has to occur one school at a time.

Kolb said it would be unfair to burden Waukesha County with four-year programs.

### **Discussion on the 2005-2007 State Budget**

Bodien said in regards to the 2003-2005 state budget, including the transfer of financial responsibility of Intermediate Care Facilities – Mentally Retarded (ICFMRs) from the state to the county, this initiative will have an extreme impact on the county. The funding levels are insufficient to relocate people to the community. The highest funding level allowed by the state is \$140 per day but it will cost the county \$190 per day to support them. The \$50 per day paid by the county will add up quickly. This change will add a significant unfunded mandate to the county.

Jensen said he has heard from a lot of counties that this will negatively affect them. He's aware of that and will see what he can do. Lazich said Waukesha County would be hit hard on this issue. She asked Bodien to prepare more cost analyses and forward them to legislators so they are aware of the actual costs.

Cummings said with the proposed tax freeze – levy restraint, he recognizes something will come out of the budget. Waukesha County is in good shape to handle a freeze but the capital budget would be restricted in flexibility in building roads. Road building changes couldn't be made without a referendum. A resident in Muskego won't vote for a road change in Menomonee Falls. If you meet certain conditions, you can issue the debt but counties can't borrow money for operations, which would be a problem. Waukesha County's AAA bonding is based on its flexibility and ability to handle infrastructure. Expenditure restrictions would be more restrictive to growing counties. Waukesha County does well with fee revenues generated from the parks, collection of delinquent fees and Health and Human Services programs. Thirty percent of the parks budget comes from fees. The collection of delinquent fees owed to the county helps the county sustain programs. An expenditure restraint is difficult for us.

Jensen said the property tax freeze will come up more quickly than TABOR.

Lazich asked Cummings if cost/benefit analysis had been done? Cummings said debt might be issued if a certain amount is maintained. One current proposal won't let counties borrow anything additional. Expenditure limits are more difficult on growing counties. Waukesha County is restricted to its core mission but the state has had counties take over state programs, which means counties have to cut programs. With the proposed expenditure restraint, if the county gets more state mandated programs; it would have to cut other

programs. Finley said this means if the county gets a grant, money would have to be cut from somewhere in order for the county to accept grant money. Waukesha County wouldn't try for any grants.

Lazich said they don't want to encourage counties to charge fees for everything. Cummings said the county would be penalized if we get too many fees from parks. Lazich said you have to find a balance.

Swartz said the state continues to shift programs to the counties and then the portion of the county levy goes to pay for underfunded mandates. From 2001 to 2005, Waukesha County went from 35% to 39% of underfunded mandates. If this goes forward we will have less discretion. The state needs to be cautious of what it shifts to the counties.

Schuler said the base-funding issue is always present. The Health and Human Services Department has not had an increase in Community Aids in more than ten years and the 2005-2007 proposed budget continues the erosion of the state and county partnership in providing human services programming. A reasonable inflationary increase of 3% would generate approximately \$300K. The lack of an inflationary increase will likely require a significant increase in property tax levy and/or cuts in service. There is a problem with the funding formulas. The Community, Income Maintenance and Youth Aides allocations aren't going up but the costs to run the programs continues to increase. The ICFMR estimates could be horrendous.

Schuler said economic support now has the largest caseload ever while allocations are dropping. Workers are carrying caseloads of 400 cases. The 2005-2007 budget does not provide an increase in the Income Maintenance Allocation. The lack of an inflationary increase along with the additional services mandated by the state will likely require additional tax levy of at least \$130K or there will be significant service reductions. These reductions could impact the county's ability to meet federal performance standards that may result in sanctions and higher costs to the county. Youth Aides are flat. By placing fewer youths in state juvenile institutions, there is a lower population in state juvenile institutions. A lower population increases Waukesha County's costs because there are fewer placements to cover the fees. Schuler explained that at an annual cost of \$80K per child, placements at state correctional youth facilities could throw off the HHS budget. Lazich said when there are fewer children in state facilities, counties have to pay more money per placement.

Manke said Youth Aides Programs are starting to work. The beer tax should be raised since it hasn't been increased since the 1960s.

Jensen said it might be time for the state to rethink juvenile institutions. The governor's capital budget is putting millions of dollars into Lincoln Hills even though there is a reduction in the placements at this institution. When there's only one state institution, it creates a hardship for families because it is difficult to visit their children.

Esler said economic assistance caseloads have increased 90% from 2000 to 2004. Jensen said recession drives up caseloads. Waukesha County used to have astonishingly small caseloads. Schuler said the increase in caseloads is in the supplemental programs that keep people out of W2 programs. The base is low but the percentage increase is measurable.

Jensen said the medical assistance program is in the hole due in part to the cost of operating the programs. There are some employers who use Badger Care as a way to avoid paying for health insurance. Wal-Mart has the largest number of employees in Badger Care in the state. The senior care programs have some of the same issues. We were moving forward with this program until the federal government passed the Prescription Drug Program, which will go into affect in 2006. The governor has taken pains so nothing has

been cut in the medical programs during his term but he hasn't come up with revenue increases to cover the costs.

Stamsta said Badger Care is a good program for those who need it but major corporations are abusing it. Jensen said the state should stop taking senior care applications because the federal government will end the program.

Haukohl said if the state has a tax freeze, it needs to fund the programs it mandates counties to do. Lazich said the state wants to partner with Waukesha County.

Snow said there hasn't been growth in the Circuit Court Support Grant in a number of years. No attention is paid to the Public Defenders' Office for responsibility and representation. Operationally it is inefficient. Guardian ad Litem funding hasn't been increased in several years. The proposed change to require access of interpreters for all criminal and civil proceedings, regardless of indigency, doesn't address if there would be recovery in the interest fees and costs.

Jensen said he doesn't know if the interpreters' fees are recoverable. He can't imagine the number of people who can't afford legal counsel. One has to be pretty poor to get a public defender. In 1999/2000 Jensen wrote memos that look at everything including gas tax and court costs and would let Waukesha County keep their court fees. Waukesha County more than recovers its fees and should be able to keep some of the costs brought into the county. He is rewriting the memo. The legislature needs to look at other means for court support such as a revenue source to pay for it. Every time the state hits a bump in the road, the state shorts the counties and then when things are good the state adds more programs but doesn't provide more money.

Stamsta said he would like to see changes on the beer tax. Results, use and prevention issues haven't been heard for years.

### **Discussion Regarding the UW-Waukesha Proposal to the State**

Kolb said Finley's proposal for UW-Waukesha is a good proposal.

Paulson said the problem is the ability to keep the school as affordable as a two-year college. Finley hopes the county has representation on the UW-Waukesha study committee and our representative would keep affordability and accessibility at the forefront.

Haukohl doesn't want the mission of the facility to change. She wants the facility to continue serving the same type of people who use the facility now. She wants the county to finish the planned capital projects at Northview Hall before the county transfers title of the building to the state.

Stamsta said the study group needs to look at WCTC as a two-year educator. It's a joint venture. We need to have conversations on how to keep the facilities strong.

Manke said he supports the study. Waukesha County didn't put any money into building improvements for 30 years. Today, after improvements, it is in beautiful shape. The county should finish the jobs it started. He is in favor of an elected board at WCTC.

### **Legislative Update**

Dwyer distributed copies of the 2005 State Legislation chart dated April 18, 2005. Committee members are to call Dave Krahn if they have any questions about it.

April 18, 2005

**WCA Meeting Report of April 15, 2005**

Dwyer said at the Thursday evening meeting, mCapitol Management, an access and lobbying company, gave an interesting presentation on their services. On Friday, the group heard presentations on treatment alternative programs by Senator Roessler, the Register of Deeds Association by the Portage County Register of Deeds, Wisconsin Professional Police Association revenue proposal by Jim Palmer and property rights by Supervisor Jay Verhulst from Vilas County. Lastly, the group heard a legislative update and discussed the recent state referendums.

**Motion to Adjourn**

MOTION: Paulson moved, Kolb second, to adjourn the meeting at 11:45 a.m. Motion carried: 6-0.

Respectfully submitted,

Walter Kolb  
Secretary